



## CITY COUNCIL

CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII 96813-3077

### COMMITTEE ON ZONING, PLANNING AND HOUSING

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**Voting Members:**

Ron Menor, Chair  
Tommy Waters, Vice Chair  
Brandon J.C. Elefante  
Ann H. Kobayashi  
Joey Manahan

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Item No. 3 -  
Resolution 19-161 has  
been cancelled.

## AGENDA

REGULAR MEETING  
CITY COUNCIL CHAMBER  
THURSDAY, OCTOBER 24, 2019  
9:00 A.M.

### **SPEAKER REGISTRATION**

Persons wishing to testify are requested to register to speak by 9:00 a.m. as follows:

- a. On-Line at <http://www.honolulu.gov/ccl-testimony-form.html>;
- b. By faxing to 768-3827 your name, phone number and the agenda item;
- c. By filling out the registration form in person; or
- d. By calling 768-3825.

Persons who have not registered to testify will be given an opportunity to speak on an item following oral testimonies of the registered speakers.

Each speaker will be limited to a **one-minute** presentation.

### **WRITTEN TESTIMONY**

Written testimony may be faxed to 768-3827 or transmitted via the internet at <http://www.honolulu.gov/ccl-testimony-form.html> for distribution at the meeting.

If submitted, written testimonies, including the testifier's address, e-mail address and phone number, will be available to the public on the City Council's pilot website: [www.honolulucitycouncil.com](http://www.honolulucitycouncil.com) as well as the City's legacy DocuShare Website.

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### **MATERIALS AVAILABLE FOR INSPECTION**

Meeting materials ("*board packet*" §92-7.5, HRS) are available for public inspection at the Council Information and Records Section's service window at Room 202 in Honolulu Hale (530 S. King St.).

Accommodations are available upon request to persons with disabilities, please call 768-3825 or send an email to [potto1@honolulu.gov](mailto:potto1@honolulu.gov) at least three working days prior to the meeting.

The meeting is viewable by: (1) internet live streaming through [www.honolulucitycouncil.com](http://www.honolulucitycouncil.com) and [http://olelo.granicus.com/MediaPlayer.php?publish\\_id=92](http://olelo.granicus.com/MediaPlayer.php?publish_id=92); (2) televised live broadcast on Olelo TV Channel 54; or (3) after the meeting, viewable at <http://www.honolulucitycouncil.tv>. Copies of older meeting videos may be requested by calling the City Clerk's Office at 768-5822, charges may apply.

**FOR EXTENSION OF TIME ONLY**

1. **RESOLUTION 19-136 – PRU PERMIT FOR RELOCATION OF OCCC (2019/PRU-2)**. Approving an application for a Plan Review Use (“PRU”) Permit for the relocation of Oahu Community Correctional Center (“OCCC”) to Halawa and terminating the PRU permit in Kalihi. (Committee postponed action 9/26/19) (Current deadline for Council action 11/27/19)

Related communication:

M-625 (2019)      PBR Hawaii & Associates, Inc., submitting request for a 120-day extension of time to allow for appropriate processing of Resolution 19-136.

**FOR ACTION**

2. **RESOLUTION 19-159 – REVISION TO THE PIM FOR THE EWA DEVELOPMENT PLAN AREA (2019/PIM-1)**. Adopting a revision to the Public Infrastructure Map (“PIM”) for the Ewa Development Plan area to include a symbol for a corporation yard for the Leeward Refuse Collection Baseyard Project. (Transmitted by Communication D-460 [2019])

PROPOSED CD1 TO RESOLUTION 19-159 (Submitted by Councilmember Menor) – The CD1 (OCS2019-1122/10/18/2019 1:09 PM) makes the following amendments:

- A. In the third WHEREAS clause, clarifies that the Project site is located on the southeastern portion of TMK 9-1-069:003.
- B. Adds a new fourth WHEREAS clause to provide that the Project site is an approximately 5.5-acre portion of an approximately 48-acre parcel that is owned by the City and is split-zoned AG-1 General Agricultural District and I-2 Intensive Industrial District, and that the Project site is located on the portion of the parcel zoned I-2 District.
- C. Separates the fifth WHEREAS clause into two separate WHEREAS clauses. In the sixth WHEREAS clause, clarifies that the Pearl City Corporation Yard houses three baseyards, and does not have enough space to accommodate the growth and future needs of all three baseyard operations.
- D. In the seventh WHEREAS clause, provides that the Project includes an administrative office and locker room, employee and refuse truck parking, cart storage, and other associated improvements.

- E. Moves the last WHEREAS clause (relating to consistency with the General Plan and Ewa Development Plan) to the eighth WHEREAS clause.
- F. In the last WHEREAS clause, clarifies that the proposed Project will provide a public benefit, and the addition of a corporation yard symbol on the PIM for the Ewa DP area is warranted and appropriate.
- G. Makes miscellaneous technical and nonsubstantive amendments.

3. **RESOLUTION 19-161 – SMP FOR THE DEVELOPMENT OF EIGHT DWELLING UNITS AT 85-029 LUALUALEI HOMESTEAD ROAD-WAIANAE (2019/SMA-9).**

CANCELLED

Granting a Special Management Area Use Permit (“SMP”) to allow the development of eight dwelling units at 85-029 Lualualei Homestead Road, Waianae to be constructed outside of the VE Flood Zone, and identified as Tax Map Key 8-6-015: 053. (Transmitted by Communication D-465 [2019]) (Current deadline for Council action 12/9/19)

PROPOSED CD1 TO RESOLUTION 19-161 (Submitted by Councilmember Menor) – The CD1 (OCS2019-0761/9/18/2019 8:37 AM) makes the following amendments:

- A. Revises the Resolution title to reference Waianae.
- B. Divides the first WHEREAS clause into three separate WHEREAS clauses and clarifies the difference between the Applicant's proposed development and the DPP's recommended development, the latter of which is defined as the “Project” to be approved under the Resolution.
- C. Adds July 12, 2019 as the date the Council received the DPP's findings and recommendation report by Departmental Communication 465 (2019), which was within 30 working days after the close of the public hearing.
- D. In Condition A, clarifies that the Project, as approved, is restricted to a maximum of eight dwelling units, and no dwelling units may be constructed within the VE Flood Zone.
- E. In Condition B, adds a condition that requires construction of the dwelling units to be in conformity with the Project as recommended by the DPP in its findings and recommendation, and as depicted in Exhibits A, B, C-1 through C-6, D, and E. Attaches the Exhibits (taken from the DPP report) to the Resolution.

- F. In Condition D, requires the Applicant, prior to the issuance of any development permit for the Project, to submit a landscape plan showing landscaping of the undeveloped portion of the Project site located within the VE Flood Zone.
  - G. Makes miscellaneous technical and nonsubstantive amendments.
4. **RESOLUTION 19-224 – IPD-T PROJECT IN THE ALA MOANA NEIGHBORHOOD (2019/SDD-27)**. Approving a conceptual plan for an Interim Planned Development-Transit (“IPD-T”) project – Keeaumoku Development Condominium and Commercial Project – in the Ala Moana neighborhood on land zoned BMX-3 Community Business Mixed-Use District, located at 805, 815, 819, 835, 903, 905, 915, and 919 Keeaumoku Street, and 1519 Liona Street, and identified as Tax Map Keys 2-3-018: 052 through 060, 074, 075, and 077. (Transmitted by Communication D-632 [2019]) (Current deadline for Council action 11/8/19)

Related communications:

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|---------------------|--|
| <u>M-641 (2018)</u> | R.M. Towill Corporation, submitting PowerPoint presentation given at the November 29, 2018 Committee on Zoning and Housing meeting |
| <u>M-623 (2019)</u> | R.M. Towill Corporation, submitting request for a 90-day extension of time to hear and consider Resolution 19-224.                 |

5. **RESOLUTION 19-225 – PD-R FOR REDEVELOPMENT IN WAIKIKI (2019/SDD-20)**. Approving a conceptual plan for a Planned Development-Resort (“PD-R”) project for the redevelopment of 4.153 acres with mixed use retail and Princess Ka’iulani Hotel Project in Waikiki located at the corner of Kalakaua Avenue and Kaiulani Avenue, and identified as Tax Map Keys 2-6-022: 001 and 041. (Transmitted by Communication D-634 [2019]) (Current deadline for Council action 11/8/19)

**PROPOSED CD1 TO RESOLUTION 19-225** (Submitted by Councilmember Menor) – The CD1 (OCS2019-1117/10/18/2019 3:54 PM) makes the following amendments:

- A. Revises the title and first WHEREAS clause to clarify the description of the Project.
- B. In the second WHEREAS clause, adds that Applicant, the Applicant's agent, and DPP staff members also attended the June 7, 2019 public hearing.

Committee on Zoning, Planning and Housing Agenda  
Thursday, October 24, 2019

- C. In the fourth and fifth WHEREAS clauses, adds that the DPP's findings and recommendation of approval were transmitted to the Council as Departmental Communication 634 (2019).
- D. In the fifth WHEREAS clause, identifies the attachments to the resolution as Exhibits A-1, A-2, and B-1 through B-4.
- E. In the sixth WHEREAS clause, adds September 9, 2019 as the date the Council received the DPP's findings and recommendation of approval.
- F. In Condition 7, clarifies that the Applicant shall fund, construct, provide space, and maintain a bicycle sharing station (and all station bicycles) within the Project site through an agreement with Bikeshare Hawaii, or other current City bicycle sharing partner.
- G. Revises Condition 8 to provide that prior to the issuance of a certificate of occupancy ("CO") for the Project, the Applicant shall fund a community benefits package valued at \$500,000. The specific benefits and amounts in the community benefits package will be set forth in a separate resolution that must be adopted by the Council prior to the issuance of the CO.  
  
(Previously, Condition 8 required a cash contribution in the amount of \$500,000 to an interdisciplinary council that provides services to homeless individuals in the Waikiki Special District.)
- H. In Condition 9, clarifies that prior to the issuance of a CO for the Project, the Applicant is required to contribute all necessary funds to cover the full cost of purchasing and installing high resolution traffic cameras at the intersection of Kalakaua Avenue and Kaiulani Avenue.
- I. In Condition 10, clarifies that the Applicant shall coordinate and comply with applicable governmental agencies and private entities for the construction and conversion of Kaiulani Avenue into a two-way street from Kalakaua Avenue to Kuhio Avenue. The Applicant, through its traffic engineering consultant, shall work with the developer of the PD-R project located at 133 Kaiulani Avenue (on the former Kings Village site) to determine each project's fair share of the cost of the work involved in the two-way traffic conversion of Kaiulani Avenue. All work must be substantially completed prior to the issuance of the CO for the Project.
- J. Revises Conditions 11 through 14 to conform with the standard language and format in previous PD-R resolutions adopted by the Council.

K. Makes miscellaneous technical and non-substantive amendments.

Related communication:

M-624 (2019) R.M. Towill Corporation, submitting request for a 90-day extension of time to hear and consider Resolution 19-225.

6. **RESOLUTION 19-238 – ALA MOANA TOD PLAN.** Approving the Ala Moana Neighborhood Transit-Oriented Development (“TOD”) Plan (June 2016). (Committee on Planning amended to CD1 and postponed action 2/5/19)

Related communications:

D-739 (2016) Department of Planning and Permitting, submitting proposed amendments to the Ala Moana Transit-Oriented Development Plan.

D-386 (2017) Department of Planning and Permitting, submitting PowerPoint presentation on Ala Moana Transit-Oriented Development Plan.

D-34 (2018) Honolulu Authority for Rapid Transportation (HART), submitting response regarding HART’s plans for the Ala Moana rail station.

D-99 (2018) Honolulu Authority for Rapid Transportation, submitting conceptual information only PowerPoint presentation surrounding the design and location of the Ala Moana terminus only.

CC-339 (2019) Councilmember Kobayashi, submitting proposed amendments to Resolution 19-238 relating to the Ala Moana Neighborhood Transit-Oriented Development Plan.

7. **RESOLUTION 19-266 – AMENDMENT TO HHFDC RULES.** Requesting the Hawaii Housing Finance and Development Corporation (“HHFDC”) to amend its rules relating to the State Assisted Land and Housing Development Program.

8. **RESOLUTION 19-267 – SMP FOR THE INSTALLATION OF A SOLAR PV AND BATTERY STORAGE SYSTEM (2019/SMA-16).** Granting a Special Management Area Use Permit (“SMP”) to allow the installation of a solar photovoltaic (“PV”) and battery storage system, including ancillary site work, on land zoned R-10 Residential District, located at Kapiolani Community College, 4303 Diamond Head Road, Oahu, and identified as Tax Map Key 3-1-042: 009. (Transmitted by Communication D-701 [2019]) (Current deadline for Council action 12/4/19)
9. **BILL 2 (2019) – LUO AMENDMENT RELATING TO IPD-T PERMITS.** Amending Chapter 21, Revised Ordinances of Honolulu 1990, as amended (the Land Use Ordinance [“LUO”]) relating to Interim Planned Development-Transit (“IPD-T”) Permits for future Transit-Oriented Development (“TOD”) within close proximity to future rail stations. (Committee postponed action 9/26/19) (Current deadline for Council Action 12/4/19)

**PROPOSED CD1 TO BILL 2 (2019)** (Submitted by Councilmember Menor) – The CD1 (OCS2019-0998/9/19/2019 2:15 PM) makes the following amendments:

- A. Amends proposed Section 21-9.100-5(a) to provide that “draft neighborhood TOD plan” means the most current version of the plan then under consideration by the department or the Council, commencing with the first public review draft released by the director to the community for review and comment. Council committee drafts of a plan are deemed under consideration by the Council after they have been placed on a full Council agenda for public hearing or adoption. Council floor drafts of a plan are deemed under consideration by the Council after the Council has amended the plan to the floor draft version.
- B. Revises proposed Sections 21-9.100-5(b)(1) and 21-9.100-5(c)(2) (renumbered as (c)(3)) to clarify that the applicable draft TOD plan is the plan at the time the application for the principal project is submitted to the department and accepted as complete.
- C. Deletes Section 21-9.100-5(b)(1) except for the last sentence which becomes Section 21-9.100-5(c)(1) relating to review criteria.
- D. Adds a new Section 21-9.100-5(c)(2) to reference the standards set forth in Section 21-9.100-8(a)(1)(E) and Section 21-9.100-9(b), and the conclusions set forth in Section 21-9.100-8(a)(1)(F). Renumbers the subsequent subdivision accordingly.

Committee on Zoning, Planning and Housing Agenda  
Thursday, October 24, 2019

- E. In proposed new Section 21-9.100-5(d)(2), corrects the reference from Table 21-3.4 to Table 21-3.
- F. Amends proposed new Section 21-9.100-5(f) relating to affordable housing requirements to provide that all projects proposing 10 or more for-sale dwelling units must satisfy the requirements of the City's affordable housing ordinance, Ordinance 18-10.
- G. Amends proposed new Section 21-9.100-5(g) relating to community benefits to provide that where community benefits are proposed to justify height and density bonuses, or to mitigate project impacts resulting from modification of TOD special district development standards, the proposed community benefits must satisfy the standards set forth in Section 21-9.100-9(e).
- H. Amends redesignated Section 21-9.100-5(m) to provide that if the Council approves the conceptual plan for an IPD-T project, the applicant shall address the conditions of approval in the Resolution adopted by the Council, and modify the project and related plans accordingly, and further provide that the applicant shall thereafter submit the revised plans to the Department of Planning and Permitting so the project's application may continue to be processed by the Director as provided under Section 21 2.110-2.
- I. Renumbers incorrectly numbered SECTION 4 of the Bill to SECTION 3. Renumbers the subsequent bill section accordingly.
- J. Makes miscellaneous technical and nonsubstantive amendments.

PROPOSED CD1 TO BILL 2 (2019) (Submitted by Councilmember Elefante) –  
The CD1 (OCS2019-1115/10/17/2019 2:22 PM) makes the following amendments:

- A. Amends proposed Section 21-9.100-5(a) to provide that “draft neighborhood TOD plan” means the most current version of the plan then under consideration by the department or the Council, commencing with the first public review draft released by the director to the community for review and comment. Council committee drafts of a plan are deemed under consideration by the Council after they have been placed on a full Council agenda for adoption. Council floor drafts of a plan are deemed under consideration by the Council after the Council has amended the plan to the floor draft version.



Committee on Zoning, Planning and Housing Agenda  
Thursday, October 24, 2019

- B. Revises proposed Sections 21-9.100-5(b)(1) and 21-9.100-5(c)(2) (renumbered as (c)(3)) to clarify that the applicable draft TOD plan is the plan at the time the application for the principal project is submitted to the department and accepted as complete.
- C. Deletes Section 21-9.100-5(b)(1) except for the last sentence which becomes Section 21-9.100-5(c)(1) relating to review criteria.
- D. Adds a new Section 21-9.100-5(c)(2) to reference the standards set forth in Section 21-9.100-8(a)(1)(E) and Section 21-9.100-9(b), and the conclusions set forth in Section 21-9.100-8(a)(1)(F). Renumbers the subsequent subdivision accordingly.
- E. In proposed new Section 21-9.100-5(d)(2), corrects the reference from Table 21-3.4 to Table 21-3.
- F. Amends proposed new Section 21-9.100-5(f) relating to affordable housing requirements to provide that all projects proposing 10 or more for-sale dwelling units must satisfy the requirements of the City's affordable housing ordinance, Ordinance 18-10.
- G. Amends proposed new Section 21-9.100-5(g) relating to community benefits to provide that where community benefits are proposed to justify height and density bonuses, or to mitigate project impacts resulting from modification of TOD special district development standards, the proposed community benefits must satisfy the standards set forth in Section 21-9.100-9(e).
- H. Amends redesignated Section 21-9.100-5(m) to provide that if the Council approves the conceptual plan for an IPD-T project, the applicant shall address the conditions of approval in the resolution adopted by the Council, and modify the project and related plans accordingly, and further provide that the applicant shall thereafter submit the revised plans to the Department of Planning and Permitting so the project's application may continue to be processed by the Director as provided under Section 21-2.110-2.
- I. Renumbers incorrectly numbered SECTION 4 of the Bill to SECTION 3. Renumbers the subsequent bill section accordingly.
- J. Makes miscellaneous technical and nonsubstantive amendments.

10. **BILL 27 (2019) – KANEOHE ZONE CHANGE (2018/Z-4)**. Rezoning land situated at the ends of Waiawi and Puohala Street, Kaneohe, Oahu, Hawaii from the P-2 General Preservation District to the R-7.5 Residential District and identified as Tax Map Key: 4-5-030: portion of 049. (Committee postponed action 8/22/19) (Current deadline for Council action 2/14/20)

PROPOSED UNILATERAL AGREEMENT – The proposed U/A (draft dated 10/18/19) to be attached as “Exhibit B” to the Bill after execution and recordation.

11. **BILL 28 (2019) – AFFORDABLE HOUSING INCENTIVES**. Amending the affordable housing incentives enacted by Ordinance 18-1, as amended by Ordinance 19-8. (Bill passed First Reading 6/5/19) (Committee postponed action 9/26/19)
12. **BILL 50 (2019) – AMENDING BUILDING CODE**. Amending Chapter 16 of the Revised Ordinances of Honolulu 1990, as amended, relating to the Building Code by adopting the State Building Code subject to local amendments herein. (Transmitted by Communication D-620 [2019]) (Bill passed First Reading 10/9/19)

PROPOSED CD1 TO BILL 50 (2019) (Submitted by Councilmember Menor) – The CD1 (OCS2019-1038/10/17/2019 1:27 PM) makes the following amendments:

- A. Deletes provisions that are duplicative of the Hawaii State Building Code and Hawaii State Residential Code, as adopted by the State of Hawaii on November 13, 2018.
- B. Makes clarifying changes based on discussions with the DPP to determine its intent with respect to the proposed amendments.
- C. Makes miscellaneous technical and nonsubstantive amendments, including formatting changes and amendments to comport the Bill with recommended drafting style.

**INFORMATIONAL BRIEFING**

13. **UPDATE BY THE ACTING DIRECTOR OF THE DEPARTMENT OF PLANNING AND PERMITTING REGARDING THE STATUS OF ALL PENDING LAND USE ORDINANCE AMENDMENTS, DEVELOPMENT PLANS AND SUSTAINABLE COMMUNITIES PLAN REVISION BILLS.**

RON MENOR, Chair  
Committee on Zoning, Planning  
and Housing